

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**NITETEK LICENSING LLC,**

**Plaintiff,**

**v.**

**EVBOX NORTH AMERICA INC.,**

**Defendant.**

**CASE NO. 1:21-cv-04738-DLC**

**PATENT CASE**

**JURY TRIAL DEMANDED**

**[PROPOSED] ORDER GRANTING EVBOX NORTH AMERICA'S  
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Before the Court is Defendant EVBox North America Inc.'s Motion to Dismiss for Failure to State a Claim. Having considered Defendant's Motion, the Court is of the opinion that the Motion should be GRANTED.

IT IS HEREBY ORDERED that Defendant's Motion is GRANTED in its entirety and the Complaint against Defendant is DISMISSED WITH PREJUDICE.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Denise Cote  
United States District Judge